



Senate

General Assembly

February Session, 2014

File No. 223

Senate Bill No. 267

Senate, April 1, 2014

The Committee on General Law reported through SEN. DOYLE of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING SWIMMING POOL MAINTENANCE AND REPAIR WORK.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-417aa of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective from passage*):

3 (a) As used in this section, "swimming pool maintenance and repair
4 work" means the performance of all plumbing, heating and electrical
5 work necessary to service, modify, [or] repair, replace, alter or
6 maintain any swimming pool, hot tub, spa or similar recreational or
7 therapeutic equipment, where such work commences at an outlet,
8 receptacle, connection, back-flow preventor or fuel supply pipe
9 previously installed by a person holding the proper license.
10 "Swimming pool maintenance and repair work" includes: (1) The
11 renovation or repair of nonpotable water structures or components of a
12 pool, hot tub or spa, including, but not limited to, the shell, tiling and
13 coping, concrete finish or vinyl liner of such pool, hot tub or spa; and
14 (2) the draining, acid washing, [or] backwash filtration or water

15 treatment of a swimming pool. The renovation or repair of nonpotable
16 water components of a pool, hot tub or spa required to be installed,
17 renovated or repaired by a licensed plumber or electrician shall not be
18 considered swimming pool maintenance and repair work. The holder
19 of a limited license for swimming pool maintenance and repair work
20 issued pursuant to this section shall not be subject to the provisions of
21 chapter 400, provided such license holder is acting within the scope of
22 the license.

23 (b) On or after July 1, 2000, the following limited licenses for
24 swimming pool maintenance and repair work may be issued by the
25 Department of Consumer Protection upon authorization of the
26 Plumbing and Piping Work Board established under the provisions of
27 section 20-331: A limited swimming pool maintenance and repair
28 contractor's license and a limited swimming pool maintenance and
29 repair journeyman's license.

30 (c) The Commissioner of Consumer Protection, with the advice and
31 assistance of the Plumbing and Piping Work Board, shall adopt
32 regulations in accordance with the provisions of chapter 54 to
33 implement the provisions of this section. [, including establishing the]
34 Such regulations shall establish: (1) The amount and type of experience
35 and training required to qualify an applicant for an examination for
36 any limited license for swimming pool maintenance and repair work,
37 (2) the specific trade areas for which limited licenses for swimming
38 pool maintenance and repair work shall be issued and specific trade
39 areas for which no such limited licenses shall be required, (3)
40 swimming pool maintenance and repair work trainee requirements
41 and training specifications, (4) continuing professional education
42 requirements for persons licensed pursuant to this section, provided
43 such persons shall be required to complete not less than three hours of
44 such continuing education biennially, (5) qualifying criteria for
45 accredited professional continuing education programs, and (6) criteria
46 for waiver of professional continuing education requirements for good
47 cause.

48 (d) Any person engaged in swimming pool maintenance and repair
49 work prior to July 1, 1999, may apply to the Department of Consumer
50 Protection for the appropriate limited license and such license shall be
51 issued without examination upon demonstration by the applicant of
52 experience and training equivalent to the experience and training
53 required to qualify for examination for the appropriate limited license,
54 if such applicant makes such application to the department not later
55 than January 1, 2006.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	20-417aa
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GL *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Consumer Protection, Dept.	GF - Cost	56,634	56,634
State Comptroller - Fringe Benefits ¹	GF - Cost	20,761	20,761
Consumer Protection, Dept.	GF - Revenue Gain	720,000	720,000

Municipal Impact: None

Explanation

The bill results in a net revenue gain to the state of \$642,605. The bill results in a cost of \$77,395 per year due to the need for a part-time License and Application Analyst and a part-time Occupational Inspector within the Department of Consumer Protection. Salaries for the two part-time positions would total \$56,634 with associated fringe benefits of \$20,761. The positions are necessitated due to adding pool maintenance as a licensable action for all non-residential swimming pools. This would result in at least 6,000 new licensees. Each license would cost \$120. Total revenue generated by the new licensees is estimated to be \$720,000 per year.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and the number of licensees.

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 36.66% of payroll in FY 15 and FY 16.

OLR Bill Analysis**SB 267*****AN ACT CONCERNING SWIMMING POOL MAINTENANCE AND REPAIR WORK.*****SUMMARY:**

This bill expands the activities that constitute “swimming pool maintenance and repair work” and must be performed by a licensed pool and spa contractor.

Under current law, the term includes the plumbing, heating, and electrical work needed to service, modify, or repair a swimming pool, hot tub, spa, or similar recreational or therapeutic equipment, when the work begins at an outlet, receptacle, connection, back-flow preventor, or fuel supply pipe previously installed by a licensed person. The bill adds replacement, alteration, and maintenance services.

The bill also expands the scope of maintenance and repair work to include (1) renovating or repairing the nonpotable water structures of pools, hot tubs, or spas, not just their components, and (2) swimming pool water treatment. Existing law includes draining, acid washing, or backwash filtration.

By law, the Department of Consumer Protection (DCP) commissioner must adopt regulations on licensing swimming pool contractors, with help from the Plumbing and Piping Work Board. Current law requires the regulations to include the experience and training needed to qualify to take the licensing exam. The bill requires regulations on the specific trade areas needing a license, trainee requirements, and continuing professional education.

EFFECTIVE DATE: Upon passage

REGULATIONS

Under the bill, the DCP commissioner must adopt regulations establishing:

1. specific trade areas requiring a limited license for swimming pool maintenance and repair work and specific trade areas that do not need one;
2. trainee requirements and training specifications;
3. continuing professional education requirements for licensees that include at least three hours of education every two years;
4. qualifying criteria for accredited continuing education programs; and
5. criteria to waive, for good cause, continuing education requirements.

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 17 Nay 0 (03/18/2014)